

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	: Bankruptcy No. 19-11308-jkf
Elena Sklyar	: Chapter 13
Debtor	:
MTGLQ Investors, LP c/o Rushmore Loan	:
Management Services	:
Movant	:
vs.	:
Elena Sklyar	:
Debtor/Respondent	:
and	:
Scott Waterman, Esquire	:
Trustee/Respondent	:

OBJECTION TO CONFIRMATION OF THE PLAN

MTGLQ Investors, LP c/o Rushmore Loan Management Services (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor, Elena Sklyar (“Debtor”), as follows:

1. As of the bankruptcy filing date of March 04, 2019, Movant holds a secured Claim against the Debtor’s property located at 1619 Solly Ave., Philadelphia, PA 19152.
2. On May 07, 2019 Movant filed a Proof of Claim citing a secured claim in the amount of \$136,006.11, with pre-petition arrears in the amount of \$81,992.58.
3. The proposed Plan currently proposes payment to Movant in the amount of \$0.00 for pre-petition arrears.
4. The proposed Plan indicates the Debtor is attempting to sell the Property. Movant is not opposed to Debtor completing a sale of the property, however, Movant should be paid its arrearages through the Plan at this time, if and until the sale is completed
5. The proposed Plan also lists a deadline for the sale of the property to be completed by 03/03/2020 (within 12 months of the commencement of the instant bankruptcy). That deadline is too distant.
6. The proposed Plan does not provide for adequate protection payments to the Movant while the sale is pending.
7. The Plan fails to provide actions to be taken by the Debtor if the sale is not completed within the given timeframe.

8. The Plan fails to cure the delinquency pursuant to 11 U.S.C. § 1322(b)(5).
9. The Plan violates of 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim.
10. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtor is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

Dated: 05/07/2019

Respectfully submitted,

/s/Danielle Boyle-Ebersole, Esquire
Danielle Boyle-Ebersole, Esquire
Hladik, Onorato & Federman, LLP
298 Wissahickon Avenue
North Wales, PA 19454
Phone 215-855-9521/Fax 215-855-9121
debersole@hoflawgroup.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	:	Bankruptcy No. 19-11308-jkf
Elena Sklyar	:	Chapter 13
Debtor	:	
MTGLQ Investors, LP c/o Rushmore Loan	:	
Management Services	:	
Movant	:	
vs.	:	
Elena Sklyar	:	
Debtor/Respondent	:	
and	:	
Scott Waterman, Esquire	:	
Trustee/Respondent	:	

**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED
PLAN TO PARTIES IN INTEREST**

I, Danielle Boyle-Ebersole, Esquire, attorney for MTGLQ Investors, LP c/o Rushmore Loan Management Services (“Movant”), certify that I served a copy of the attached Objection to the Plan to the parties below on 05/07/2019:

Jon M. Adelstein, Esquire
Michael H. Kaliner, Esquire
Via Electronic Filing
Attorney for Debtors

Scott Waterman, Esquire
Via Electronic Filing
Trustee

Elena Sklyar
19 Carmelita Drive
Richboro, PA 18954
Via First Class Mail
Debtor

Date: 05/07/2019

Respectfully Submitted,
/s/Danielle Boyle-Ebersole, Esquire
Danielle Boyle-Ebersole, Esquire
Hladik, Onorato & Federman, LLP
298 Wissahickon Avenue
North Wales, PA 19454
Phone 215-855-9521/Fax 215-855-9121
debersole@hoflawgroup.com